



Memphis City Council Summary Sheet

Resolution for General Improvement Bonds

- This Initial Resolution will authorize the issuance of not to exceed One Hundred Fifty Million Dollars (\$150,000,000) General Obligation Bonds, and Bond Anticipation Notes issued as Commercial Paper, of the City of Memphis Tennessee for the purpose of financing the cost of public works project in the City. This Resolution is the first step of the process to restore the City's Commercial Paper Program.
- The initiating party is the Division of Finance.
- This Resolution does not change any existing Ordinance or Resolution.
- The resolution does not require new contracts, or amend an existing contract.

AN INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED ONE HUNDRED FIFTY MILLION DOLLARS (\$150,000,000) GENERAL OBLIGATION BONDS, AND BOND ANTICIPATION NOTES ISSUED AS COMMERCIAL PAPER, OF THE CITY OF MEMPHIS, TENNESSEE, PURSUANT TO THE LOCAL GOVERNMENT PUBLIC OBLIGATIONS ACT OF 1986, BEING TITLE 9, CHAPTER 21, OF THE TENNESSEE CODE ANNOTATED, FOR THE PURPOSE OF FINANCING THE COST OF PUBLIC WORKS PROJECTS IN THE CITY.

BE IT RESOLVED by the Council of the City of Memphis as follows:

1. It is hereby determined that there are hereby authorized to be issued general obligation bonds of the City of Memphis, Tennessee (the "City"), in the maximum principal amount of not to exceed One Hundred Fifty Million Dollars (\$150,000,000), pursuant to the Local Government Public Obligations Act of 1986, being Title 9, Chapter 21, of the Tennessee Code Annotated (the "Act"), for the purpose of financing the cost of the following public works projects:

Abattoirs, acquisitions of land for the purpose of providing or preserving open land, airports, alleys, ambulances, auditoriums, bridges, city halls, city stables or garages, community houses, corrective, detention and penal facilities, including but not limited to, jails, workhouses and reformatories, courthouses, culverts, curbs, dispensaries, drainage systems, including storm water sewers and drains, electric plants and systems, expositions, facilities for the handicapped, including physically and mentally handicapped, facilities for the indigent, fairgrounds and fairground facilities, fire department equipment and buildings, fire alarm systems, flood control, garbage collection and disposal systems, gas and natural gas systems and storage facilities, heat plants and systems, harbor and riverfront improvements, health centers and clinics, including medical and mental health centers and clinics, highways, major roads, highway and street equipment, hospitals, hotels and supporting or incidental facilities built by the City which are built adjacent to and as a supporting facility of civic or convention centers located in the central business improvement district of the City created under the provisions of the Central Business Improvement District Act of 1971, compiled in Title 7, Chapter 84 of the Act, improvements made pursuant to a plan of improvement for a central business improvement district created pursuant to the Central Business Improvement District Act of 1971, compiled in Title 7, Chapter 84 of the Act, incinerators, law enforcement and emergency services equipment, levees, libraries, markets, memorials, museums, nursing homes, parks, parking facilities, parkways, playgrounds, plazas, port facilities, docks and dock facilities, including any terminal storage and transportation facilities incident thereto, public art, public buildings, preserves, railroads, including the extension of railroads, and railway beltlines and switches, reclamation of land, recreation centers and facilities, reservoirs, rights-of-way, river and navigation improvements, roads, sanitariums, schools, transportation equipment for schools, sewers, sewage and waste water systems, including, but not limited to, collection, drainage, treatment and disposal systems, ship canals, sidewalks, stadiums, streets, swimming pools, thermal transfer

generating plants and/or distribution systems, tunnels, viaducts, voting machines, water treatment distribution and storage systems, wharves, zoos, business parks, industrial parks, urban renewal projects, urban transit facilities, facilities for the storage and maintenance of any of the items of equipment which constitute public works projects, facilities or capital expenditures paid or incurred with respect to property located in a recovery zone that are made for a qualified economic development purpose, facilities or capital expenditures paid or incurred for qualified conservation purposes in connection with the issuance of qualified energy conservation bonds, all property real and personal, appurtenant thereto or connected with any public works project, work or undertaking and the existing public works project, work or undertaking, if any, to which such public works project, work or undertaking is an extension, addition, betterment or improvement, any other project for the benefit of the people at large of the City where any state or federal agency will match the funds of the City with grants-in-aid or gratuities to subsidize or assist the development of a public works project, and any grants, donations, reimbursements or loans to one or more local governments, local government instrumentalities or utility districts for the construction of any of the foregoing, all as contemplated by Sections 9-21-105 and 9-21-107 of the Act.

2. Such bonds shall bear interest at such rate or rates not to exceed the maximum rate permitted by law at the time of sale thereof, payable in such manner and at such times as shall hereafter be determined by or pursuant to a subsequent resolution of the Council of the City of Memphis.

3. Such bonds shall be payable exclusively from ad valorem taxes levied upon all the taxable property in the City of Memphis and the full faith and credit and unlimited taxing power of the City of Memphis shall be pledged to the punctual payment of the principal thereof and the interest thereon.

4. The City of Memphis may issue general obligation bond anticipation notes as commercial paper in anticipation of the issuance of such bonds, pursuant to and in accordance with the Act.

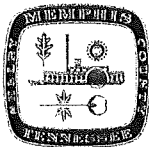
5. In the event that it is determined that it is in the City's best financial interest to expend moneys from other sources of the City prior to issuance of such bonds and notes and to reimburse such expenditures from such other sources from the proceeds of such bonds and notes when sold, the Director of Finance and Administration is hereby authorized to declare from time to time the official intent on behalf of the City as to reimbursement from the proceeds of such bonds and notes of expenditures made from other sources of the City.

6. This resolution shall be published in full once in a newspaper of general circulation in the City of Memphis, Tennessee, together with a notice substantially in the form prescribed by Section 9-21-206 of the Act.

7. This resolution shall take effect immediately upon its adoption.

City of Memphis

TENNESSEE



A C WHARTON, JR.
MAYOR

May 15, 2012

The Honorable Harold Collins, Chairman
Personnel, Intergovernmental & Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Collins:

Subject to Council approval, it is my recommendation that:

Shawn Thomas

be appointed to the Memphis and Shelby County Community Redevelopment Agency with a term expiring August 31, 2013.

I have attached biographical information.

Sincerely,

A C Wharton
Mayor

ACW/lar

c: Council Members



City of Memphis

BIOGRAPHICAL INFORMATION APPOINTMENT TO BOARD/COMMISSION

M/SC Redevelopment Agency

BOARD/COMMISSION

Name: Shawn Thomas Race B M ☒ F ☐

E-Mail Address: shawnt@thasmgmtgrp.com Fax 901.398.9109

Profession/Employer: Tri-State Bank of Memphis

Business Address: 180 S. Main St, Memphis, Tn 38103 Zip 901 Phone: 230.5075

Education: B.A. Degree Tougaloo College

Name of Spouse: Kathy Taylor-Thomas Number of Children: 2

Home Address: 890 Summer Shade Ln Phone: 901.398.9109

City: Memphis State: Tn Zip: 38116

I certify that I am a resident of the City of Memphis (Unincorporated areas and surrounding counties are not considered). Yes ☒ or No ☐ If yes, how long? 28 years

Professional Organization/Associations:

Omega Psi Phi Fraternity, Inc.

Other Organizations/Association:

Tougaloo College National Alumni Association, Boy Scouts of America (Central District)

Other Interests:

Working with community leaders and youth members of the community, providing Financial Literacy workshops. Working with high school and college students, providing Entrepreneurial and Micro-finance workshops.

Signature

Date

J. S. 12

Shawn Thomas

890 Summer Shade Ln
Memphis, TN 38116

901.230.5075

shawnt@thomasmgmtgrp.com

New Business Development – Professional Development – Sales & Marketing – Strategic Planning

An extensive 25+ years experience in sales and marketing in several industries including banking. Financial responsibilities in excess of \$63,000,000. Led teams as large as 22, with multiple responsibilities, that included increasing sales, increasing customer retention, and continuously improving customer service standards. Sales teams always grew their portfolio, and always met or exceeded expectations. Exceptional human resource skills that included hiring and developing all personnel, developing great business leaders with superb management and leadership skills, preparing all associates to excel in current positions, and prepared them to be hired in greater capacities within the organization, or away from the organization. All teams that I led were always in the top percentile of the organization I served.

Professional Skills

- Growing market share through a well-defined sales plan
- Customer service and retention
- Exceeding customer needs and expectations
- Building loyal and long-term business to business relationships
- Managing operations efficiently
- Developing and supporting high performance teams

PROFESSIONAL EXPERIENCE

Tri-State Bank of Memphis

2011 - Present

Senior Vice President

Lending and Business Development

Responsible for all lending aspects of the bank including consumer, commercial and church lending. Responsibilities include loan origination, loan underwriting, loan management, and relationship management and building. Responsible for managing all phases of the local retail bank, including growing core deposits and consumer lending. Also responsible for leading a retail team that consists of 4 branches and 16 associates. Providing the team with weekly coaching and leadership that enables them to lead their staffs to success.

LeMoyne-Owen College, Memphis, Tn

Fall 2010 – Spring 2011

Adjunct Professor

Working as a part-time professor in the Business Department, teaching Finance courses. Courses being taught are Money & Banking, Investments, Portfolio Management, and Case Studies in Finance. I am also working with the Business Department in doing a feasibility study of having a student/faculty run credit union on the campus of LeMoyne-Owen College.

Thomas Management Group, Memphis, TN

2008 - 2011

President/CEO

A professional organization that provides financing and consulting for small businesses. The financial arm of the business has 3 major components. (1) Church Lending – Provides lending for churches in amounts up to \$20,000,000. (2) Small Business/Commercial Lending – Provides financing for small-to-medium size businesses for commercial real estate related loans up to \$10,000,000. (3) Equipment Lease Plans – Provides lease financing options for equipment needs up to \$1,000,000. Consulting services include money management and financial literacy, sales &

marketing, public relations, staffing, and daily operational training. TMG also provides business team development workshops, as well as business diversity workshops.

M & F Bank, Memphis, TN

2006-2008

Regional Vice President

Responsible for managing all phases of the local retail bank, including small business lending. These duties included, but were not limited to leading and coaching all associates. Growing deposits and loans through a well-defined sales plan that focused on profiling and cross-selling. Managing and selling in a business-to-business environment. I managed four branches and 26 associates. I managed an asset base of \$63MM in loans and \$32MM in deposits.

Achievements:

- Helped start a De Novo Bank in the Memphis market. Led the retail and small business divisions in the local market.
- From January '07 to December '07, the local bank grew loan outstandings from \$36MM to 63MM, and grew deposits from \$10MM to \$27MM.
- Developed new sales training for all associates that included profiling and cross-selling.
- Selected as the test market to transition the corporate culture to a more sales-oriented organization.
- Assisted in the development of the local small business lending program (that was non-existent prior), from the application stage to the approval/declination stage.

Regions Bank, Memphis, TN

2002- 2006

Vice President/Branch Manager

Responsible for managing overall branch operations and providing leadership to a team of 8-12 staff members. Growing the banks market share through retail/consumer sales and the small business portfolio by business-to-business selling. Responsible for associate development in all areas that included deposit and loan product selling, and lending training that included consumer loan underwriting. Was also the market business banking champion/specialist, where I had the responsibility of training branch managers how to sell business loans and to do their own preliminary underwriting. I developed all of the material that I used for this training.

Achievements:

- Grew loan outstandings by 31% in 2005 (best branch manager production in the Memphis market). #1 Branch Manager in the market out of over 60 branch managers.
- Ranked in the Top 5 in three out of four measurement categories in the Memphis market (2004 - 2006). There were over 60 branch managers in the market.
- Achieved Chairman's Club status based on overall corporate ranking (Top 15% nationwide 2005 & 2006).
- Ranked in the Top 3 in 2002- 2003.

EDUCATION

Bachelor of Arts

Tougaloo College, Jackson, MS

Banking Industry Training

Managing the Sales Process, Prospecting for Bankers, Growing Deposits, Management Basics for Managers, Business Banking Sales, Profiling and Cross-Selling, Branch Goal Setting, Identifying Customer Needs, Behavioral Coaching, Improving Customer Service Standards, and

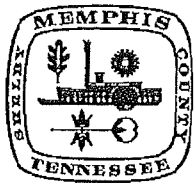
Consumer Loan Underwriting – All training provided by MZ Bierley, Inc. I also attended the Consumer Banking Academy – A Fairmont Training school.

**MEMPHIS & SHELBY COUNTY COMMUNITY REDEVELOPMENT
AGENCY**

7 Member Board

(3) City & (3) County (1) Joint

Daniels, Deborah (City)	F/B	08-31-08	4yr. Term
Dobbins, Alandas (City)	F/B	08-31-09	4yr. Term
Frick, Mike (City)	M/W	08-31-08	4yr. Term
Langston, Ann W. (Joint Appointment)		08-31-12	4yr. Term



Memphis City Council Summary Sheet
(General Services Division – Amendment to Motor Vehicle
Inspection Bureau Ordinance to Include Financial Hardship
Waiver)

- This item is an amendment to Ordinance Chapter 21, Motor Vehicles and Traffic Section 21, 309, Wavier Provisions To Provide for a Financial Hardship Waiver
- The Division of General Services, Motor Vehicle Inspection Bureau, supports the amendment to provide a Financial Hardship Waiver to the Motor Vehicle Inspection Bureau Ordinance Sec. 21-309, Wavier Provisions section.
- This resolution does not require a new contract, or amend an existing contract.
- This resolution will not require funds being expensed.

ORDINANCE NO. _____

**An Ordinance to Amend
Chapter 21, Motor Vehicles and Traffic
Section 21, 309, Wavier Provisions
To Provide for a Financial Hardship Waiver**

WHEREAS, the Memphis City Council places great importance on ensuring the citizens of Memphis have a clean environment and,

WHEREAS, the city of Memphis vehicle inspection program deserves credit for improving the air quality, however the city does not want to impose an undue financial hardship upon the citizens of Memphis and,

WHEREAS, the Council acknowledges the good faith efforts of the citizens to have their motor vehicles repaired and,

WHEREAS, the Council believes that it is appropriate and in the best interests of the citizens of Memphis to provide for a one year financial hardship waiver.

Section 1. NOW THEREFORE BE IT ORDAINED BY MEMPHIS CITY COUNCIL, that the Code of Ordinance of the City of Memphis, Tennessee, Chapter 21, Motor Vehicles and Traffic, Article IX. Inspections of Vehicles, Section 21-309. Wavier Provisions be amended to read as follows:

Sec. 21-309 Waiver Provisions

(1) The purpose of this section is to allow a person to operate a motor vehicle that fails to meet the applicable motor vehicle emission performance test criteria as specified in Sections 21-304 and 21-305, provided the department has issued a waiver to the owner of the motor vehicle.

- (a) A waiver issued pursuant to this section shall relieve the registered owner of a motor vehicle from responsibility for taking any further action to reduce exhaust emissions from the motor vehicle until the motor vehicle is next due for inspection, pursuant to Section 21-302.
- (b) Any registered owner of a motor vehicle may be eligible and may apply to the department for a waiver pursuant to this rule if:
 - (i) An application for a waiver is submitted to a representative at an inspection site designated by the department; and
 - (ii) The vehicle passed the tampering portion of the vehicle inspection; and
 - (iii) All of the exhaust emissions components appropriate to make, model, year, series, and engine size are in place and visually operating; and
 - (iv) The motor vehicle *failed the initial emissions test and the emissions* retest after repairs; and
 - (v) The registered owner of the motor vehicle has spent the required amount, pursuant to parts a, b, or c of this subparagraph, in parts and/or labor as an attempt to bring the vehicle into compliance with the motor vehicle emission performance test criteria as specified in Section 21-305 and has satisfied the

remaining requirements of this subparagraph:

- a. For 1980 and older model year vehicles – the minimum expenditure requirement is \$75.00. All repairs must be appropriate and/or related to the cause of the test failure. This expenditure includes parts and labor, as specified in part d of this section.
 - b. For 1981 through 1995 model year vehicles – the minimum expenditure requirement is \$200.00. All repairs must be appropriate and/or related to the cause of the test failure. This expenditure includes parts and labor, as specified in part d of this section.
 - c. For 1996 and newer model year vehicles – the minimum expenditure requirement is \$650.00. All repairs must be appropriate and/or related to the cause of the test failure. This expenditure includes parts and labor, as specified in part d of this section.
 - d. The cost of labor can be applied towards the expenditure amount only if the repairs were performed by a certified repair technician (National Institute for Automotive Service Excellence [ASE] certified in engine repair and engine performance). Repairs performed by non-technicians (e.g., owners) may only apply the cost of parts towards the expenditure.
 - e. Documentation of repairs must be provided to the Department. Documentation shall include dated receipts itemized with the name of each part, part number, and manufacturer.
 - f. Emission related repairs were performed on the motor vehicle sixty (60) days before or after the initial failed exhaust emissions inspection.
 - g. Proof of registration is provided to the department. (Example: Title, vehicle registration).
 - h. The registered owner of a motor vehicle, within the failed vehicle's warranty period, shall use all available warranty coverage to have repairs made that are directed toward correcting the cause of the motor vehicle's inspection failure prior to applying for a waiver and provide support documentation pursuant to subparagraph (a) or (b) of this paragraph:
 1. Documentation indicating that any available warranty coverage has been used to have the repairs made that are directed toward correcting the cause of the motor vehicle's failure to pass the motor vehicle inspection shall be provided to the Department; or
 2. A written denial of warranty coverage for the needed repairs from the manufacturer or authorized dealer shall be provided to the Department.
- (vi) Prior to the issuance of a waiver, Department staff shall perform a visual (under hood) inspection of the motor vehicle. This inspection will be performed to determine that emission related repairs have been completed and verify that the minimum expenditure has been met. If during the visual inspection any motor vehicle tampering, as defined in Section 21-307, is discovered, a waiver cannot be granted.
- (vii) The waiver shall be valid for one year or until the next registration expiration

date, whichever is sooner.

- (viii) A waiver shall be granted to the registered owner of a motor vehicle provided the requirements of this section have been fulfilled.
 - (ix) Upon receiving a waiver from the department, the registered owner shall be exempt from the requirements of section 21-302 within the time period prescribed in paragraph (vii) above.
- (2) Upon application, the department may issue an exemption, as specified in paragraphs (a), (b), or (c) below, from the inspection requirements pursuant to this Article, provided the subject motor vehicle is registered in the name of the individual applying for the exemption and (i) is not impounded or non-operational; (ii) has never been inspected or has not failed inspection within the past ninety (90) days; or (iii) is not registered in another city or state.
- (a) **Out-of Town Exemption.** The department may grant an exemption for a vehicle that is out-of-town during the required annual inspection period, subject to the following requirements:
 - i. The motor vehicle must be a minimum of three hundred (300) miles outside of the City;
 - ii. The applicant must complete the application required by the City and provide all documentation required by the department; and
 - iii. In the event a federal-approved emissions program is available in the locale where the motor vehicle is located, the motor vehicle must successfully pass a federal emissions test.
 - (b) **Military Exemption.** The department may grant an exemption for active-duty military personnel, including his or her spouse, when the military personnel's vehicle(s) are out-of-town during the required annual inspection period, subject to the following requirements:
 - i. The individual must provide evidence of an active-duty military Identification and Leave Earning Statement (LES), issued by the military, of the motor vehicle owner or his or her spouse;
 - ii. In the event the motor vehicle was registered in another state, the vehicle must successfully pass a federal emissions test; and
 - iii. The individual must complete the application required by the City and provide all documentation required by the department.
 - (c) **Reciprocal Inspection.** The department may grant an exemption for motor vehicles inspected at another federal-approved inspection facility in another locale, subject to the following requirements:
 - i. The motor vehicle must have passed a federal-approved emissions test within the past ninety (90) days, and the individual must provide evidence of a certificate of compliance from such federal-approved inspection facility;
 - ii. The certificate of compliance, as referenced in the preceding paragraph, shall be valid for a period of ninety (90) days from the test completion date.
 - (d) **Financial Hardship.** *The department may grant a waiver for financial hardship subject to the following requirements.*
 - i. *Submit a completed Financial Hardship Application including copies of:*

- a. *Failed vehicle inspection report for emissions*
- b. *Current vehicle registration in the applicant's name.*
- c. *Valid Tennessee driver's License*
- d. *Cost estimate for the vehicle emission related repairs*
- e. *Current income status (Social Security, Pension, AFDC, etc.)*
- f. *Seniors sixty-two years and older who are on fixed incomes and vehicles failed the Initial On Board Diagnostic II test but pass the subsequent emissions tailpipe test would be granted a waiver for one (1) year.*

SECTION 2. BE IT FURTHER ORDAINED, that the provisions of this Ordinance are hereby severable. If any sections, provisions, sentences, clauses, phrases, or parts are held unconstitutional or void, the remainder of the Ordinance shall continue in full force and effect.

SECTION 3. BE IT FURTHER ORDAINED, BY THE COUNCIL OF THE CITY OF MEMPHIS, that this ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of Mayor in writing by the comptroller and become effective as otherwise provided by law.

MEMPHIS
MOTOR VEHICLE INSPECTION BUREAU
FINANCIAL HARDSHIP WAIVER

Instructions

Motorists may be eligible for a one year financial hardship waiver for a vehicle that fails the Memphis Vehicle Emissions Inspection if the household's income falls within the income guidelines. The hardship waiver is one time only for the life of the vehicle. The vehicle must be repaired for the next year inspection cycle.

To qualify for a financial hardship waiver:

1. The vehicle must be currently registered in applicant's name. Provide copy of registration.
2. Copy of a valid Tennessee driver's license.
3. The motorist must provide a completed Financial Hardship Waiver Application.
4. A current failed vehicle inspection test within thirty (30) days.
5. A type written estimate for the vehicle emission related repairs from an Automotive Service Excellence (ASE) repair technician
6. Provide, for inspection only, a copy or copies of your most recent Income Tax Returns within the past two years.
7. Meet the income guidelines listed below:

* 1 person up to \$16,245
* 2 persons up to \$21,855
* 3 persons up to \$27,465
* 4 persons up to \$33,075
* 5 persons up to \$38,685
* 6 persons up to \$44,295
* 7 persons up to \$49,905
* 8 persons up to \$55,515

MEMPHIS MOTOR VEHICLE INSPECTION

Financial Hardship Waiver Application

(See Back of Form For Instructions)

Vehicle must be currently registered by owner in Memphis Tennessee to obtain a Financial Hardship Waiver. All requested information must be completed and the **receipts, estimates and income verification** must be attached, or **your application will be denied.**

VEHICLE INFORMATION - Please Print:

Registration Expiration Date: _____ Vehicle ID Number: _____

License Plate Number: _____ Year/Make of Vehicle: _____

Registered Owner(s) - Please Print Name(s)/ Current Address:

Owner 1: _____ Address: _____

Owner 2: _____ Address: _____

ALL REGISTERED OWNER(s) MUST COMPLETE THE FOLLOWING:

Yes No

- ☐ ☐ 1. Has this vehicle failed the vehicle emissions test? (A "Reject" is **not** a failure.)
- ☐ ☐ 2. Has this vehicle previously received an financial hardship waiver?
- ☐ ☐ 3. Have you attached a written estimate of emissions-related repair costs for at least \$200? (See instructions for details)

The estimate must total at least \$200 for 1995 and older vehicles or at least \$650 for 1996 and newer vehicles on the cost of emissions-related repairs. The estimate must include parts, services, and diagnostic fees signed and dated from an Automotive Service Excellence (ASE) repair technician.

Note: Costs of emissions recall repairs cannot be included in these estimates.

- ☐ ☐ 4. Was the household income (during the preceding 12 months) of the registered vehicle owner(s) lower than the guidelines on the reverse side of this form? You must complete the information below and provide a copy/copies of your most recent Income Tax returns within the past two years.

Number of registered Vehicle Owner (s) _____ Annual Income _____

Name and Income of each registered vehicle owner:

I/We hereby swear or affirm the information provided above is true and correct, and authorize the City of Memphis Motor Vehicle Inspection Bureau or its representatives to make legitimate inquiries to all relevant federal, state, or local offices regarding the accuracy of the information provided.

Please sign and date:

Signature _____ Date _____ Phone Number _____

Signature _____ Date _____ Phone Number _____

After completing the application, send to:

City of Memphis Motor Vehicle Inspection Bureau
590 Washington Avenue
Memphis, TN 38105

E-mail: mvib@memphistn.gov (Subject: Economic Hardship)



Memphis City Council Summary Sheet

Resolution approving the purchase of 10.135 acres of property for Memphis Light, Gas and Water Division's Systems Operations Site and future expansion from Whitten Partnership, LTD. for the sum of \$1,600,000.00. The property is located on the west side of Whitten Road; approximately 692 feet south of the south line of Century Parkway.

- This item is a resolution approving the purchase of the above described property included in the 2012 Electric Division Budget for a Systems Operations Site and future expansion.
- This item was initiated by the Vice President of Engineering and Operations of Memphis Light, Gas and Water Division.
- There is no change to an existing resolution or ordinance.
- The resolution approves a Contract of Sale for purchase of said property.
- This resolution does require an expenditure of MLGW funds included in the 2012 Electric Division Budget for \$1,600,000.00.

CITY COUNCIL RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners has recommended to the Council of the City of Memphis the purchase of property from Whitten Partnership, LTD., said property shown on the attached sketch and being more particularly described as follows:

Description of part of the Whitten Partnership, LTD. property recorded in Instrument No. V1-1374, being part of Whitten-I-40 P.U.D. recorded in Plat Book 221, Page 33 in Memphis, Shelby County, Tennessee:

Beginning at a found 1/2" rebar in the west line of Whitten Road (R.O.W. Varies), said point being the southeast corner of the Memphis Light, Gas & Water property recorded in Instrument No. 02176100; thence southwestwardly along the west line of said Whitten Road the following calls: south 04 degrees 44 minutes 07 seconds west, 88.01 feet to a point; south 03 degrees 57 minutes 37 seconds west, 713.97 feet to a found 1/2" rebar; thence northwestwardly across said property recorded in Instrument No. V1-1374, along the north line of the Savitt Investment, L.L.C. property recorded in Instrument No. 02065840, Parcel I and along the north line of Phase 8, Area B & D, Whitten-I-40 P.U.D. recorded in Plat Book 127, Page 47 the following calls: north 69 degrees 16 minutes 52 seconds west, 118.38 feet to a found 1/2" rebar; north 54 degrees 24 minutes 57 seconds west, 39.96 feet to a found 1/2" rebar; north 86 degrees 02 minutes 26 seconds west, 93.41 feet to a found 1/2" rebar; north 71 degrees 39 minutes 13 seconds west, 132.21 feet to a point in an existing ditch; north 41 degrees 13 minutes 41 seconds west, 75.71 feet to a found 1/2" rebar; north 49 degrees 21 minutes 17 seconds west, 310.65 feet to a found 1/2" rebar in the east line of Century Center Parkway (R.O.W. Varies); thence northeastwardly along the east line of said Century Center Parkway the following calls: northeastwardly along a curve to the left having a radius of 452.00 feet, delta angle of 23 degrees 19 minutes 54 seconds, chord bearing of north 16 degrees 46 minutes 11 seconds east, chord distance of 182.79 feet and a curve distance of 184.06 feet to a point; north 05 degrees 06 minutes 14 seconds east, 305.39 feet to a set 1/2" rebar with plastic cap at the southwest corner of said property recorded in Instrument No. 02176100; thence south 85 degrees 15 minutes 53 seconds east along the south line of said property recorded in Instrument No. 02176100, 626.31 feet to the POINT OF BEGINNING and containing 441,492 square feet or 10.135 acres of land.

Property is located on the west side of Whitten Road; approximately 692' feet south of the south line of Century Parkway.

for and in consideration of \$1,600,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS that the President of the Memphis Light, Gas and Water Division or his designated representative be and is authorized to execute the appropriate contract of sale for the purchase of real property described in the above preamble from Whitten Partnership, LTD, for and in consideration of \$1,600,000.00.

[illegible]

VICINITY MAP

RESEARCHERS: The researchers, led by Dr. David J. Schwab, a professor of psychology at the University of California, San Diego, and Dr. David J. Schwab, a professor of psychology at the University of California, San Diego, found that the brain's ability to learn from experience is not limited to the visual system. They found that the brain's ability to learn from experience is not limited to the visual system. They found that the brain's ability to learn from experience is not limited to the visual system.

RECORDING

QUESTIONS

1. What is the purpose of the study?
2. What are the objectives of the study?
3. What are the research questions?
4. What are the hypotheses?
5. What are the variables?
6. What are the methods?
7. What are the results?
8. What are the conclusions?
9. What are the implications?
10. What are the limitations?

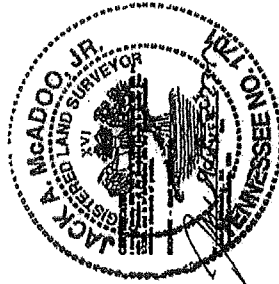
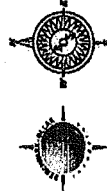
**SURVEY OF PART OF THE
WHITTEN PARTNERSHIP, LTD.**

PROPERTY
RECORDED IN
INSTRUMENT NO. V1-1374

BEING PART OF
WHITTEN-I-40 P.U.D.

PLAY BOOK 221, PAGE 33
RECORDED IN
MEMPHIS, SHELBY COUNTY, TENNESSEE
SCALE: 1"=60' DATE: JANUARY 30, 2012
REVISED: FEBRUARY 22, 2012

REVISÉ: FEBRUARY 22, 2012



CURVE TABLE

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

[illegible]

10.135 AC.
441,492 S.F.

FRANK G. ARCA & S
WHITTEN-1-40 P.O.D.
P.O. BOX, N.Y. 17

PAGE 12, LINE 2
 WHITTEN/1-40 P.D.S.
 P.S. 124 PL. 30

SABVIT INVESTMENT, LLC
POB. 25, BIRMINGHAM

E X C E R P T
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
April 19, 2012

WHEREAS, the Memphis, Light, Gas and Water Division, is the owner of a tract of land acquired for use by the Gas Division, said tract of land being located on the northwesterly side of South Main Street, approximately 192.51 feet northeastwardly from the northeasterly line of Linden Avenue; and,

WHEREAS, Memphis, Light, Gas and Water Division has been offered by the The Memphis Development Foundation, Inc. the sum of \$1,200,000.00 for the purchase of a portion of a tract of land owned by Memphis Light, Gas and Water Division; and,

WHEREAS, the approved policy for sale of Division-owned land permits the Board of Light, Gas, and Water Commissioners to recommend a negotiated sale of land where in its opinion the land is situated such that a general interest in the purchase of the property could not conceivably be generated by the ad and bid procedure; and,

WHEREAS, the subject property falls into this category and is described as follows:

Being a portion of the same property conveyed to Memphis Light, Gas & Water Division by deed of record as described in the Register's Office of Shelby County, Tennessee in the Register's Official Record Book under Instrument Number CS-7194, said portion being shown on the attached sketch and described as follows:

Beginning at a set chisel mark in the northwest line of South Main Street (80' R.O.W.), said point being 10.00 feet northeast of the southeast corner of said property recorded in Instrument No. CS-7194 and the northeast corner of the Memphis Light, Gas & Water Division property recorded in Instrument No. 07036503, Parcel I, 192.51 feet northeast of the intersection of the northwest line of said South Main Street and the northeast line of Linden Avenue (80' R.O.W.) as measured along the northwest line of said South Main Street and being on the northeast edge of an existing 10' wide concrete sidewalk; thence north 56 degrees 54 minutes 55 seconds west along the northeast edge of said 10' wide concrete sidewalk and along a line that is 10.00 feet northeast of and parallel to the southwest line of said property recorded in Instrument No. CS-7194 and the northeast line of said property recorded in Instrument No. 07036503, Parcel I, 379.40 feet to a set chisel

mark in the southeast line of South Front Street (80' R.O.W.); thence northeastwardly along the southeast line of said South Front Street and along a curve to the right having a radius of 778.51 feet, delta angle of 04 degrees 12 minutes 18 seconds, chord bearing of north 38 degrees 39 minutes 11 seconds east, chord distance of 57.12 feet and a curve distance of 57.14 feet to a set chisel mark at the northwest corner of said property recorded in Instrument No. CS-7194 and the southwest corner of the City of Memphis property recorded in Instrument No. T8-2235, Parcel II; thence south 70 degrees 06 minutes 00 seconds east along the northeast line of said property recorded in Instrument No. CS-7194 and along the southwest line of said property recorded in Instrument No. T8-2235, Parcel II, 383.94 feet to a set chisel mark in the northwest line of said South Main Street; thence south 33 degrees 04 minutes 23 seconds west along the northwest line of said South Main Street, 144.43 feet to the POINT OF BEGINNING and containing 0.87 acres of land.

Property is located on the northwesterly side of South Main Street, approximately 192.51 feet northeastwardly from the northeasterly line of Linden Avenue.

NOW THEREFORE BE IT RESOLVED by the Board of Light, Gas and Water Commissioners:

THAT, the Board of Light, Gas and Water Commissioners recommends the sale of property described in the above preamble to The Memphis Development Foundation, Inc., for and in consideration of \$1,200,000.00; and further,

THAT, the President or his designated representative of the Division is hereby authorized to execute the sale of said property.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - special meeting held on 19th day of April, 2012, at which a quorum was present.

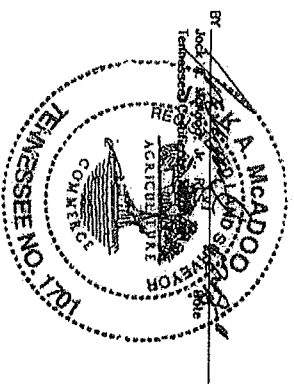

Secretary - Treasurer

Minutes Approved 4.19.12



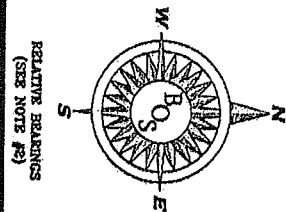
CERTIFICATE:
I hereby certify that this is a Category A Survey and that the ratio of precision of the unadjusted survey is greater than 1/27,500, and is in compliance with the current Tennessee minimum standards of practice.

BENCHMARK - OLAR SURVEYING, LLC



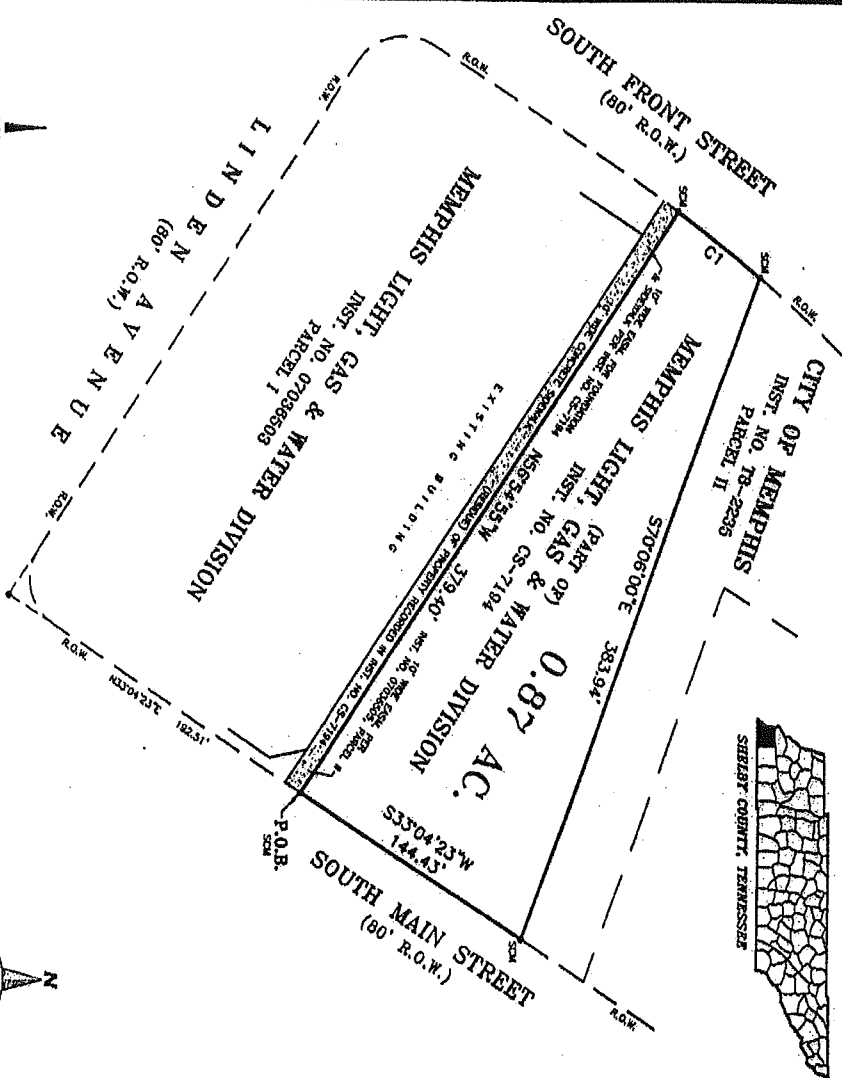
**SURVEY OF PART OF THE
MEMPHIS LIGHT, GAS & WATER DIVISION
PROPERTY**

RECORDED IN
INSTRUMENT NO. CS-7194
MEMPHIS, SHELBY COUNTY, TENNESSEE
SCALE: 1"=60' DATE: DECEMBER 8, 2011
SHEET 1 OF 2



CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD BEAD	CHORD
CT	57.14'	778.51'	41°12'18"	N56°59'11"E	57.12'



1. Survey prepared for Memphis Light, Gas & Water Division.

2. Bearings are relative to the southwest face of 51st property having a bearing of north 58 degrees 54 minutes 55 seconds west per instrument No. CS-7194.
3. This survey was prepared without benefit of an abstract of title. No liability is assumed by the undersigned for loss resulting to any other third party that might be discovered by an abstract or title search of the property.
4. No deeds, contracts, etc., were provided to Benchmark-Olar Surveying, LLC. We have provided our own research and do not guarantee same as to accuracy or completeness.
5. Alluding property owners' and deed references and abstract information were provided by Benchmark-Olar Surveying, LLC, and are not guaranteed as to accuracy or completeness.
6. There are visible structures located on this property that were not shown on the title of this survey.
7. There may be underground or non-visible utilities, drains and/or sewer lines across this property that are not shown. The proper utility authorities should be contacted for more specific locations and information on underground utilities.
8. Subsurface and environmental conditions were not ascertained or considered as a part of this survey.
9. Governmental jurisdictional areas, if any, which might impact on the use of the premises were not located. No liability is assumed by the undersigned for loss resulting from the existence of any governmental jurisdiction affecting the use of the premises.
10. If this survey plat is also provided in electronic form, the electronic copy must be compared to the original hard copy issued of the survey, along with its original seal to assure the accuracy of the information and to further insure that no changes, alterations or modifications have been made. No reliance should be made on a document transmitted by computer or other electronic means unless first compared to the original sealed document issued at the time of the survey.
11. Survey is valid only if plat has original seal of surveyor.
12. This survey is the property of Benchmark-Olar Surveying, LLC. No person may copy, reproduce, distribute, or alter this plan in whole or in part without the written permission of Benchmark-Olar Surveying, LLC.
13. I certify, to the best of my knowledge, information and belief, and in my professional opinion, this plat is true and correct, and that I am a duly licensed surveyor of the property under my supervision and that this survey has been made using relevant recorded deeds.
14. I/we have not retained nor do we express any opinion as to if the property lies within a Special Flood Hazard Area.

Description of part of the Memphis Light, Gas & Water Division property recorded in Instrument No. CS-7194 in Memphis, Shelby County, Tennessee:

Beginning of a set abutment mark in the northeast corner of South Main Street (80' ROW), sets point being 10,000 feet northeast of the southeast corner of said property recorded in instrument No. CS-7194 and the northeast corner of the Memphis Light, Gas & Water Division property recorded in instrument No. 07035603, Parcel 1, 19251 feet northwest of the intersection of the northeast line of said South Main Street and the northeast line of Linden Avenue (80' ROW), as measured along the northeast line of said South Main Street and along the northeast edge of said sidewalk 54' wide carrying sidewalk thereon of an existing 10' wide concrete sidewalk, thence north 50 degrees 54' minutes 12 seconds west along said sidewalk and oblique to said sidewalk about 10.00 feet northeast of and parallel to the southwest line of said property recorded in instrument No. CS-7194 and the northeast line of said property recorded in instrument No. 07035603, Parcel 1, 378.40 feet to a set abutment mark in the southwest line of South Front Street (80' ROW), thence northeasterly along the southeast line of said South Front Street and along a curve to the right having a radius of 718251 feet, oblique angle of 69 degrees 12 minutes 18 seconds, chord bearing south 30 degrees 52 minutes 17 seconds east, distance 30.00 feet, to a set abutment mark of curve distance of 527.51 feet to a set abutment mark of the northeast corner of said property recorded in instrument No. CS-7194 and the southwest corner of the City of Memphis property recorded in instrument No. 18-2235, Parcel 1, thence south 70 degrees 06 minutes 00 seconds east along the northeast line of said property recorded in instrument No. CS-7194 and along the southeast line of said property recorded in instrument No. 18-2235, Parcel 1, to a set abutment mark located in instrument No. 18-2235, Parcel 1, thence south 33 degrees 04 minutes 23 seconds west along the northeast line of said South Main Street, thence north 33 degrees 04 minutes 23 seconds west along the northeast line of said South Main Street, 144.43 feet to the POINT OF BEGINNING and continuing 0.87 acres of land.

AC.	ACRES
E.	EAST
E&S.	EISENBERG
INST.	INSTRUMENT
N.	NORTH
NO.	NUMBER
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT-OF-WAY
S.	SOUTH
SOM	SET CHISEL MARK
W.	WEST



**SURVEY OF PART OF THE
MEMPHIS LIGHT, GAS & WATER DIVISION**

PROPERTY
RECORDED IN
INSTRUMENT NO. CS-7194
MEMPHIS, SHELBY COUNTY, TENNESSEE
DATE: DECEMBER 8, 2011
SCALE: 1"=60'



Scale: 1" = 50'

CITY COUNCIL RESOLUTION

WHEREAS, Duncan and Associates 2006 report *Regulating Adult Businesses in Memphis-Shelby County, TN* made recommendations to improve the local regulation of adult-oriented businesses and discussed the known negative secondary effects of locating adult businesses in close proximity to our citizens' homes and places of business; and

WHEREAS, historically in Memphis we have used the dispersion approach – locating adult businesses throughout the city and therefore spreading the negative secondary effects; however, this method has not been effective in protecting residential and commercial property from blight, declining value and crime associated with these businesses; and

WHEREAS, we should explore concentrating adult businesses and creating an Adult Entertainment District, which would be located away from certain commercial and denser residential uses.

NOW, THEREFORE BE IT RESOLVED, by the Memphis City Council, that an Adult Business Ad Hoc Committee is hereby established and charged with reporting its findings to the Council 60 days after its first meeting on the following items:

1. Feasibility of creating an Adult Entertainment District;
2. Location of an Adult Entertainment District;
3. Establishment of an Adult Business Commission to license and regulate adult entertainment.

BE IT FURTHER RESOLVED, that the Mayor is requested to appoint nine (9) members to the Adult Business Ad Hoc Committee, including a representative from each of the following organizations:

1. Shelby County District Attorney General;
2. Memphis Police Department;
3. EDGE Board;
4. City Attorney;
5. County Commission;
6. City Council.

BE IT FURTHER RESOLVED, that all meetings of the Adult Business Ad Hoc Committee will be open to the public; the committee shall elect a Chairperson from its members and shall establish its own meeting schedule and rules.

SHEA FLINN
Memphis City Council